

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 19, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN K. HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned dangerous building located at 4612 Stacey Avenue in the amount of \$2,875.50 (General Fund) and assess a maximum of \$42,700 in daily civil penalties. PROPERTY OWNER: JOSEFINA & FRANCISCO HUERTA - Ward 5 (Barlow)

Fiscal Impact☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available****Amount:** \$2,875.50**Funding Source:** General Fund**Dept./Division:** Neighborhood Services/Response**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired 702 Services to board all openings to City of Las Vegas specifications, install and repair garage door, remove all high, dry and dead vegetation, all trash, debris and repair and secure both side yard gates. The Rapid Response team removed trash and debris on October 23, 2008. To date, there have been five (5) inspections conducted at this location. The value of the property based on the sale date of August 2004 was \$170,000.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$1,150 for work completed by 702 Services and the invoice in the amount of \$575 for Rapid Response Team in addition to other fees assessed for a total of \$2,875.50 and consider assessing a maximum of \$42,700 in daily civil penalties.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Notice of Public Hearing
5. Chronological List of Events
6. Copy of the Notice and Claim of Lien

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Motion made by RICKI Y. BARLOW to Approve an Assessment of \$2,875.50

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and Recommendation sections.

A videotape was shown, but a copy was not submitted.

JOHN WAGSTAFF was present and explained that he and his associate had recently purchased the property from Deutsch Bank, which is based in Germany. He explained that he and his associate buy and rehabilitate abandoned and blighted properties and he showed photographs of another property they had rehabilitated. After contacting MR. SMITH, he had learned that the abatement costs stayed with the property and he requested that those costs be forgiven.

MR. SMITH informed COUNCILMAN BARLOW that the complaint was received in October 2008 and the case was closed on July 27, 2009. MR. SMITH indicated that MR. WAGSTAFF had become involved after the case was closed. COUNCILMAN BARLOW informed MR. WAGSTAFF that the City should be reimbursed for the abatements costs, but he would not assign any additional civil penalties. After learning that the abatement costs would be applied as a lien and would be repaid when the property was sold, MR. WAGSTAFF agreed to the lien.

MR. SMITH noted that the title companies are not informing the new property owners of the Notice and Orders on their properties. He suggested that similar situations where property owners are not made aware of the liabilities on their properties would be coming before the Council. COUNCILMAN WOLFSON suggested that the buyer has some responsibility to research a property before it is purchased and the City is making every effort to ensure the property owners are properly notified. MR. WAGSTAFF explained that the title company had issued a clean title and had not informed him of the documents recorded against this property.

MAYOR GOODMAN declared the Public Hearing closed.